

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

KENNETH RAY BATES, # 42519-060,	)	Civil Action No.: 4:17-cv-1838-RBH-TER
	)	
Plaintiff,	)	
	)	
-vs-	)	
	)	<b>ORDER</b>
	)	
SYLVIA TAWANDA VANDROFF,	)	
TRINA CLARKSON, MAROLYN D.	)	
VANDROFF, ELIZABETH KINDER,	)	
SHARDICE SHARP, BRENDA	)	
ROBINSON, and KYLEE MARTIN,	)	
	)	
Defendants.	)	
_____	)	

This is an action filed by a pro se litigant, who is a federal prisoner. Presently before the court is Plaintiff's Motion for Discovery (ECF No. 33). Defendants have not made an appearance in this case. Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

Prior to the present motion and before service was authorized, Plaintiff filed a Motion for Discovery (ECF No. 19) to determine the proper addresses for service on these Defendants, noting that his past communications with them had been through a P.O. Box, phone, and email accounts. He stated that the physical addresses he previously provided on the Form 285s could not be substantiated. In the Order (ECF No. 21) denying the motion, the undersigned stated "[i]t is not the responsibility of the Marshals Service to obtain addresses." See Carr v. City of Greenville, No. 5:01-CT-338-H, 2002 WL 31097453, at \*1 (E.D.N.C. Jan. 28, 2002), aff'd sub nom., 33 Fed. Appx. 140 (4th Cir. 2002). "[N]either the Marshal Service nor the Court may engage in investigatory

efforts on behalf of the parties to a lawsuit as this would improperly place the Court in the role of an advocate.” Bowman v. Johnson, No. CIV.A 308CV449HEH, 2010 WL 1225693, at \*1 (E.D. Va. Mar. 26, 2010). However, the undersigned allowed Plaintiff the opportunity to name corporate defendants contained in the factual allegations of Plaintiff’s Complaint (as it had already done in a previous order), and noted that corporations in South Carolina register an agent with the South Carolina Secretary of State and said business listings may contain more information helpful to Plaintiff. See Turner v. Lowden, No. CIV.A. RDB-12-1372, 2013 WL 5634325, at \*1 (D. Md. Oct. 15, 2013), *aff’d*, 559 Fed. Appx. 227 (4th Cir. 2014)(where court order suggested Plaintiff check for a resident agent to obtain appropriate street address). Thereafter, Plaintiff provided new summons forms and Form 285s, and the court entered an order (ECF No. 29) authorizing service on the Defendants.

Plaintiff then filed the present Motion for Discovery (ECF No. 33), asking the court to “mandate from the Defendants all relevant contact addresses for future use in these legal proceedings, all account information regarding their relationship with Plaintiff, all electronic communications with the Plaintiff, the individual who is responsible for leasing the PO Box 78, Mullins, South Carolina box, the person serving as the financial liason for the company, and any other information deemed just and necessary to advance this case.” At the time Plaintiff filed this motion, Defendants had not been served. However, the Marshals Service then filed the executed summonses (ECF No. 35) indicating that each Defendant had been served on October 10, 2017, making their answers due October 31, 2017. As stated above, Defendants have not filed an answer or otherwise made an appearance.

Discovery should be directed to and served on parties and others in accordance the Federal Rules of Civil Procedure and Local Civil Rules for the District of South Carolina and generally not

filed with the court. See generally Fed.R.Civ.P. 26-37; see also Carter v. Ozoeneh, No. 3:08-cv-614, 2009 WL 1383307, \*3 (W.D.N.C. May 14, 2009) (discussing early discovery). Therefore, Plaintiff's motion (ECF No. 33) is **DENIED**.

**IT IS SO ORDERED.**

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

February 16, 2018  
Florence, South Carolina